

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	11/10/2019
Planning Development Manager authorisation:	TF	14/10/19
Admin checks / despatch completed	CC	14/10/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	14/10/19

**Application:** 19/01252/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr & Mrs M Platt

**Address:** 137 Frinton Road Kirby Cross Frinton On Sea

**Development:** Proposed single storey side and rear extension.

### 1. Town / Parish Council

Frinton and Walton Town Council    Noted

### 2. Consultation Responses

N/A

### 3. Planning History

19/01252/FUL    Proposed single storey side and rear extension.    Current

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

## **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Application site

The application site is located to the south of Frinton Road, inside the development boundary of Frinton on Sea. It serves a detached two storey dwelling constructed of brick with a tiled roof. The front of the site is part concrete, for parking, and the rest is laid to lawn. The rear is laid to lawn with close boarding fencing on the boundaries with an existing garage to the west side of the rear.

### Proposal

This application seeks planning permission for a single storey rear extension and a single storey garage to the south side of the host dwelling. The single storey rear extension proposal will measure a maximum depth of 4m, 10.5m wide, and will have a flat roof with a height of 3m with a roof light measuring a maximum height of 3.5m. The single storey side garage proposal will measure a maximum depth of 8.6m which adjoins the rear extension making the overall side depth 12.9m, 2.7m wide, and will have a part pitched roof to the front with a maximum height of 3.6m and the rest will be a flat roof with a height of 3m with 3 roof lights measuring a maximum depth of 3.4m.

The proposed materials throughout the development will consist of brick with a tiled and flat roof.

### Assessment

The main considerations of this application are the design and the impact upon residential amenity.

### Policy Considerations

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3

of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

### Design and Appearance

The proposed rear and side extension is considered to be of a scale and nature appropriate to the site and the surrounding area. The development will be visible from Frinton Road due to the proposed side garage. Although the development will be publicly visible it will not have any impact upon the street scene as it will be set back from the front boundary by 13.5m. The proposed side garage will be stepped in from the front elevation by 1.6m making it a subservient addition and the matching eaves blend the development acceptably with the host dwelling.

Furthermore, the use of brick and a tiled roof will blend the development with the host dwelling, resulting in a neutral impact upon the street scene.

### Impact on Residential Amenity

The proposed side extension will be located within 1m of the shared side boundary. However, the overall height is 3.6m to the front and the majority of the extension will not exceed 3.4m and therefore complies with Policy HG14 of the Adopted Plan, which states an extension of this kind should maintain a 1 metre separation distance to the boundary should it exceed 4 metres in height. Furthermore, the single storey nature will ensure there will be no overlooking concerns. The neighbouring property has no side windows other than in the existing garage, however due to the orientation of the properties, the existing garage to the host dwelling and that the sun rises from the east and sets in the west there would be no further significant impact to the neighbours loss of light. Therefore, it is not considered that there will be significant harm to neighbouring amenities to warrant a reason for refusal.

The proposed development is therefore considered to be a modest single storey development that will not cause any significant adverse impact to the daylight, privacy or other amenities currently enjoyed by neighbouring property.

### Other Considerations

The Frinton and Walton Town Council have noted the application.

There has also been one letter of objection received, with the following points; that the proposed garage would block any light to the neighbouring property.

As mentioned above and in the report there would be no further impact to the light to warrant a reason for refusal.

### Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions / Reasons for Refusal**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing number PFR-01 Rev D.

Reason - For the avoidance of doubt and in the interests of proper planning.

## 8. Informatives

### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	<b>YES</b>	<b>NO</b>
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	<b>YES</b>	<b>NO</b>